

ORDINANCE NO.

#63  
6-8-06

1 AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT  
2 3202 GREENLEE DRIVE FROM CERTAIN DEVELOPMENT REGULATIONS  
3 PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A  
4 DUPLEX RESIDENCE.

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6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
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8 PART 1. This ordinance applies to the construction of a duplex residence located at  
9 3202 Greenlee Drive. The two story structure will have a floor area of 4,328 square feet.

10 PART 2. Applicant has filed a waiver application requesting that Council waive Part 5  
11 Section (D)5 of Ordinance No. 20060309-058 regarding minimum and maximum front  
12 yard setbacks as follows:

- 13 (a) the lot with a principal structure closest to the street is disregarded, and the  
14 lot with a principal structure farthest from the street is disregarded;
- 15 (b) the minimum front yard setback is equal to the average of the minimum  
16 front yard setbacks of the principal structures on the remaining lots minus  
17 ten percent of the distance of that average; and
- 18 (c) the maximum front yard setback is equal to the average of the minimum  
19 front yard setbacks of the principal structures on the remaining lots plus ten  
20 percent of the distance of that average.

21 PART 3. Council has considered the factors for granting a waiver from development  
22 regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver  
23 is justified because:

- 24 (A) the development limitation imposes undue hardship on the applicant; and  
25 (B) the development proposed by the applicant will not adversely affect the  
26 public health, safety, and welfare.

27 PART 4. A waiver is granted from Part 5 Section (D)(5) of Ordinance 20060309-058 to  
28 allow construction of a duplex residence located at 3202 Greenlee Drive, with a front  
29 yard setback of no less than 165 feet.

